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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOEY CARDIEL,

Defendant.

CASE NO. 1:22-CR-00041-NODJ-BAM

**STIPULATION TO CONTINUE SUPPRESSION
HEARING AND ORDER THEREON**

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant Joey Cardiel, by and through defendant's counsel of record, hereby stipulate as follows:

1. On February 10, 2022, a grand jury indicted the defendant with one count under 18 U.S.C. § 922(g)(1), felon in possession of a firearm. On January 3, 2024, a motion briefing schedule was set. On February 20, 2024, the Court modified the briefing schedule with motions due March 4, 2024; oppositions due April 1, 2024; and any reply due April 8, 2024. [ECF 27] The hearing on the motions is set for April 15, 2024.

2. On March 4, 2024, the defendant filed a Motion to Dismiss the Indictment [ECF 28], a Motion to Suppress Statements [ECF 29], and a Motion to Suppress Evidence [ECF 31.] On April 1, 2024, the United States filed oppositions to defendant's motions [ECF 33, 34, and 35.]

3. On April 8, 2024, the Court ordered the suppression hearing continued to May 13, 2024,

1 to provide defendant with reasonable time for effective preparation and for defendant to consider a pre-
2 trial resolution to the case. [ECF 37.]

3 4. Now, the parties agreed to continue the hearing from May 13, 2024, to May 28, 2024, to
4 provide defendant with reasonable time for effective preparation and for defendant to consider a pre-trial
5 resolution to the case.

6 5. The parties also agree that the interests of justice served by granting this continuance
7 outweigh the best interests of the public and the defendant in a speedy trial. The parties also agree that the
8 period from March 4, 2024, through May 28, 2024, should be excluded. Fed. R. Crim. P. 17.1; 18 U.S.C.
9 § 3161(h)(7)(A) and (h)(7)(B)(iv).

10 6.

11 IT IS SO STIPULATED.

12
13 Dated: April 22, 2024

PHILLIP A. TALBERT
United States Attorney

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15 By: /s/ Cody Chapple
16 ANTONIO J. PATACA
17 CODY S. CHAPPLE
Assistant United States Attorney

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20 Dated: April 22, 2024

/s/ Eric Kersten
ERIC V. KERSTEN
Attorney for Defendant,
JOEY CARDIEL

ORDER

IT IS HEREBY ORDERED for good cause shown, to provide defendant with reasonable time for effective preparation, and for defendant to consider a pre-trial resolution to the case that the hearing set for May 13, 2024, is continued to **May 28, 2024 at 8:30 am in Courtroom 5 before the District Court Judge**. The period from March 4, 2024, through May 28, 2024, shall be excluded pursuant to Fed. R. Crim. P. 17.1; 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

IT IS SO ORDERED.

Dated: April 23, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE